

## 2. REMARKS/ARGUMENTS

### 2.1 STATUS OF THE CLAIMS

*Claims 1-5, 7-31, 35 and 39-43 were pending at the time of the Action.*

*Claims 1, 14, 23 and 41-43 have been amended herein.*

*Claims 1-5, 7-31, 35 and 39-43 remain pending in the case.*

### 2.2 SUPPORT FOR THE CLAIMS

Complete support for the language of all pending claims can be found throughout the Specification and claims as originally filed. Applicants hereby certify that no new matter is incorporated by way of the accompanying amendment. Amended claim 41 and 42 are derived from pending claims 1 and 11, re-written and presented in independent format, in accordance with the Examiner's indication that the subject matter of claim 11 was patentable if included the limitations of the claim from which it depended. Amended claim 43 finds support in the specification and in original claim 30. Claims 1, 14 and 23 have been amended using the language suggested by the Examiner to provide better clarity, and to more particularly point out and more distinctly claim the subject matter that Applicants regard as their invention.

Should any fees be deemed necessary in connection with the entry and consideration of the present paper the Commissioner is hereby authorized to deduct any necessary amounts from Deposit Account No. 08-1934, Order No. 36677.8.

## 2.3 THE REJECTION OF CLAIMS UNDER 35 U. S. C. § 112, 2<sup>ND</sup> PAR., IS OVERCOME

*The Action at pages 2-3, ¶¶ 3 and 4, rejected claims 1-5, 7-10, 12-31, 35 and 39-43 under 35 U. S. C. § 112, 2<sup>nd</sup> paragraph, allegedly as being indefinite.*

Specifically, the Action in ¶ 4 rejects claims 1 and 14 (and its dependencies and related independent claims, 2-5, 7-10, 12-13, 15-31, 35, 30 and 40 therefrom) as indefinite, allegedly because “it is not clear whether the term CH<sub>2</sub>O- or CH<sub>2</sub>S- means that the XH group is ‘CH<sub>2</sub>OH or CH<sub>2</sub>SH’ or ‘CH<sub>3</sub>O- or CH<sub>3</sub>S-.’” Claims 23 and 41-43 were also rejected allegedly as being indefinite for lacking proper antecedent basis and requisite claim language clarity.

As to each of these rejections, Applicants respectfully traverse; however, mindful of economic concerns and patent term consideration, Applicants have amended these claims to improve the clarity of the indicated claims by incorporating the helpful suggestions of the Examiner.

Claims 1 and 14 have been clarified by improving the language to recite the limitation that XH is OH, SH, CH<sub>2</sub>OH, or CH<sub>2</sub>SH. Claim 23 has also been amended to improve claim language clarity, and to provide proper antecedent basis for the recited limitation. Finally, claims 41-43 have also been amended to clarify the steps in the recited method, again incorporating the helpful suggestions of the Examiner.

In light of the accompanying amendment, and for each of the aforementioned reasons, Applicants believe that all pending claims are definite, and as such, respectfully request that these rejections now be withdrawn.

#### **2.4 THE OBJECTION TO CLAIM 11 IS RENDERED MOOT**

*The Action at page 4, ¶ 7, objected to claim 11, allegedly because the claim was dependent from a rejected claim.*

Applicants respectfully traverse, and note for the record, now that the rejection of the base claim, claim 1, has been overcome, the objection to claim 11 is rendered moot. Applicants respectfully request therefore, that the objection be withdrawn, and that all pending claims be progressed to allowance.

#### **2.5 CONCLUSION**

It is respectfully submitted that all claims are fully enabled by the Specification, and that all claims are definite and free of the prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in condition for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants earnestly solicit concurrence by the Examiner and the issuance of a Notice of Allowance in the case with all due speed.

Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, or should any issues remain outstanding, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,



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**Date: May 5, 2008**

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